

AMENDMENTS TO THE DRAWINGS

Submitted herewith are replacement drawings in which Figures 1, 2 and 3 have been amended to include the legend --CONVENTIONAL ART--.

REMARKS

I. Status of Claims

Claims 1-19 remain pending in the application.

In the Office Action, the Examiner objected to the drawings.

Claims 1 and 11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,106,784 to Eltawil et al. ("Eltawil") in view of U.S. Patent No. 6,996,380 to Dent.

Claims 2 and 12 were also rejected under 35 U.S.C. § 103(a) as being unpatentable over Eltawil in view of Dent, and further in view of U.S. Patent No. 7,010,055 to Harrison et al. ("Harrison").

Claims 3-8 and 13-17 were also rejected under 35 U.S.C. § 103(a) as being unpatentable over Eltawil, Dent, Harrison, and further in view of U.S. Patent No. 6,977,910 to Hosur et al. ("Hosur").

Claims 9, 10, 18 and 19 were also rejected under 35 U.S.C. § 103(a) as being unpatentable over Eltawil, Dent, Harrison, Hosur, and further in view of U.S. Patent No. 6,865,397 to Park et al ("Park").

II. Drawings

The Examiner objected to the drawings by indicating that Figures 1, 2 and 3 should be designated by a legend such as --PRIOR ART-- because only that which is old is illustrated.

Applicant respectfully submits that Figures 1, 2 and 3 have been amended by adding the legend --CONVENTIONAL ART--. Applicant requests that the objection to the drawings be withdrawn.

III. Rejections under 35 U.S.C. § 103(a)

With respect to independent claims 1 and 11, the Examiner acknowledges that Eltawil fails to teach a transmit diversity controller for determining a transmit diversity method through transmit diversity information received from the Node-Bs. To cure the deficiencies of Eltawil, the Examiner relies on Dent for disclosing a transmit diversity controller for determining a transmit diversity method through transmit diversity information received from the Node-Bs, by referencing Figure 9, col. 4, lines 52-54; col. 2, line 26 – col. 3, line 43 of Dent.

The combination of Eltawil and Dent does not disclose or teach a combiner for selectively combining signals output from the fingers according to the determined transmit diversity method; and a transmit diversity signal processor for demodulating the signals combined by the combiner on the basis of one transmit diversity method selected by the transmit diversity controller, as claimed.

Eltawil discloses processing units 68, 70 that receive configuration words that are distributed within a rake receiver architecture over a control bus 80. A configuration word specifies which correlator within the processing unit 100 that will be activated, and a spreading factor and orthogonal code to be used for that correlator. Each processing unit 68, 70 has the capability of checking the control bus 80 for activity. The processing units output data through a multiplexer 114 to a data bus 82. The data then passes to a combining unit 84 for further processing. The combining unit 84 performs a maximum ratio combination of different multipath components and generates symbol data.

The rake receiver for a spread spectrum communication system of Figure 2 in Eltawil does not include rake fingers. Eltawil discloses a conventional implementation of a rake receiver 10 in Figure 1 for a CDMA communication system that includes three rake fingers

12, 14, 16 for demodulation. *See* Figure 1, col. 3, lines 46-49. The spread spectrum communication system of Figure 2 of Eltawil is different from the CDMA communication system of Figure 1. Therefore, the combiner in Figure 2 of Eltawil does not receive signals from rake fingers, as alleged by the Examiner, “for selectively combining the signals from the fingers according to the determined transmit diversity method.” The combining unit 84 of Eltawil receives data from processing units that output data through a multiplexer 114 to a data bus 82. *See* Figure 2, col. 4, line 66 – 39, col. 12, lines 20-35. Accordingly, Eltawil fails to disclose and teach a combiner for selectively combining **signals output from the fingers** according to the determined transmit diversity method.

Eltawil further discloses circuits 135 and 137 that are preferably implemented as part of combination unit 84 of Figure 2. The signal from the circuits 135 and 137 are provided to a slicer 142 which identifies the signal of the signal and passes the result to a low pass filter 144, which integrates and low pass filters the output. *See* Figure 6, col. 13, lines 48-58. The signals from the circuits 135 and 137 of Eltawil are not demodulated **on the basis of one transmit diversity method selected by the transmit diversity controller**.

Eltawil also discloses that the processing units 68, 70 are able to configure fifteen different correlators that can be used for various purposes of tracking and recovering multipath components including pilot recovery, time recovery and data symbol recovery. The three correlators are used to track and demodulate a multipath. Thus, each processing unit performs the required synchronization and demodulation operations for a multipath of a signal in a digital domain using all-digital frequency and timing correction techniques. *See* col. 16, lines 44-56, and abstract. There is nothing in Eltawil that discloses or teaches a **transmit diversity signal processor that demodulates the signals combined by the combiner**. Moreover, there are no signals in Eltawil that are demodulated **on the basis of one transmit diversity method selected by the transmit diversity controller**. Likewise, Dent, Harrison, Hosur, and Park do not supply at least the above-noted deficiencies of Eltawil.

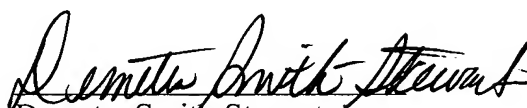
In view of the above arguments, claims 1 and 11 would not have been obvious from any reasonable combination of Eltawil, Dent, Harrison, Hosur, and Park at least for reasons noted above. Therefore, the rejections of claims 1 and 11, as well as dependent claims 2-10 and 12-19, which incorporates all of the limitations of their respective base claims 1 and 11, should be withdrawn based on the above arguments.

CONCLUSION

Applicant submits that the above amendments and arguments are fully responsive to the Office Action dated November 8, 2007 and respectfully requests the asserted grounds of rejections be withdrawn based on such arguments.

In view of the above, it is believed that the above-identified application is in condition for allowance, and notice to that effect is respectfully requested. Should the Examiner have any questions, the Examiner is encouraged to contact the undersigned at the telephone number indicated below.

Respectfully submitted,



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